

THIRD SUPPLEMENTAL DECLARATION

As the below named inventor, I hereby declare that my citizenship, residence postal address and residence are as stated below; that I verily believe myself to be the original, first and sole inventor of the invention entitled:

A VACUUM PROCESS APPARATUS

the specification of which was filed on September 19, 1995, in the parent application and included original U.S. Patent No. 5,245,736, issued September 21, 1993, and amendments thereto as required by 37 C.F.R. § 1.171 *et seq.*

I verily believe that, as provided in 37 C.F.R. § 1.175, as amended, the original U.S. Patent No. 5,245,736 is partly inoperative because I claimed less than I had a right to claim in the patent, in particular Claims 1 and 16 and the claims dependent thereupon being insufficiently broad and Claims 30-34 and 58-83 being required to more comprehensively cover my invention.

All errors being corrected, including the Supplemental Response dated January 18, 2000, the Second Supplemental Response dated February 14, 2000 the Reply dated October 23, 2000; and the Reply dated May 9, 2002, in this reissue application up to the time of filing of this Declaration arose without deceptive intent.

I continue to offer to surrender the original patent and/or provide an appropriate affidavit or declaration in the event the same is lost, upon the indication of allowability of the reissue patent application.

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

Priority Claimed

4117969
(Number)

Germany
(Country)

31 May 1991 Yes
(Day/Month/Year)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 (a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>888,111</u>	<u>May 26, 1992</u>	<u>U.S.P. 5,245,736 for which</u>
(Appln. Serial No.)	(Filing Date)	<u>this is reissue application</u>
		<u>(patented 9/21/93)</u>

I hereby appoint as principal attorneys:

Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169 and Richard R. Diefendorf, Reg. No. 32,390, to prosecute and transact all business in the Patent and Trademark Office connected with this application and any related United States and international applications. Please direct all communications to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

INVENTOR:

Citizenship:

Postal Address/Residence:

Roman SCHERTLER

Austrian

Lorenz Schertlerstrasse 18
6922 Wolfurt, Austria

June 18, 2002
Date

Roman Schertler
Signature

ASSIGNEE'S CONSENT

Unaxis Balzers Aktiengesellschaft, by name change from Balzers Aktiengesellschaft as recorded at Reel 011356, Frame 0829, assignee of the entire right, title and interest in and to U.S. Letters Patent No. 5,245,736, as recorded at Reel 6185, Frame 0599 on the Assignment Records of the U.S. Patent and Trademark Office, hereby assents to the filing of this application for reissue and the subsequent amendments.

Unaxis Balzers Aktiengesellschaft

June 18, 2002
Date

By: 

Name: Erich Haefeli Jörg Baur

Title: General Counsel Manager
Legal Dept. Patent Dept.

